

one year from the date of his letters, have paid away assets to the discharge of just claims, shall be answerable for any claim of which he had no notice by an exhibition of the claim legally authenticated, provided that, at least six months before he shall make distribution, he shall insert in as many newspapers as the Orphans Court may direct the advertisement prescribed in the Act. By the Act of 1862, ch. 142,⁵ which is a substitute for sec. 114, the Register of Wills is to enter in a suitable book all claims against a decedent, in regular order as they are passed, &c., giving the date of the passage, the name of the creditor, the character of the claim, whether open account, note, bond, bill obligatory, judgment, or other evidence of debt, and the amount thereof; if an open account, the interest due thereon up to the date of the passage shall be stated separately; if a note, bond, bill obligatory, judgment, or other evidence of debt, the date thereof, and the date from which interest begins to run shall also be stated, and other particulars of such claims; and the entry of a claim upon such book shall be taken as notice to the administrator of its existence, &c. It may be remarked here that it is held, that the *certificate* of the Register is sufficient proof of the registry of the claim, and that the registry of the claim is evidence of notice to the administrator, but it is not evidence to establish the claim, *McCann v. Sloan*, 25 Md. 575,⁶ the registry, however, is an official record, which is admissible under proper pleadings as *prima facie* evidence, to shew the amount of debts, the invalidity of which a plaintiff may prove, *Seighman v. Marshall*, 17 Md. 550; see also the Act of 1820, ch. 174, sec. 7.⁷

With respect to the notice required to be given by the administrator, the practice is to give creditors notice to file their claims within six months immediately after the date of the letters. In *Rawlings v. Adams*, 7 Md. 26, it was determined that a notice, bearing date the 25th January, when the Orphans Court was not in session, and not passed by the Court until the 5th February, warning creditors to exhibit their claims by the first of the following August was defective, as less than six months elapsed between the 5th February and the 1st August, which months were construed in *Glenn v. Hebb*, 17 Md. 260, to be calendar and not lunar months.

Code 1911, Art. 93, sec. 109; *Wethered v. Safe Dep. Co.*, 79 Md. 160; *Jones v. Harbaugh*, 93 Md. 278. When letters *pendente lite* have been revoked by the grant of letters testamentary or of administration, the succeeding administrator should give notice to creditors, although such notice may have been given by the administrator *pendente lite*. *Estate of Worthington*, 54 Md. 359.

As to when purchasers from devisees, or heirs at law, are safe in taking title to real estate, see *Van Bibber v. Reese*, 71 Md. 608; *Scarlett v. Robinson*, 112 Md. 210; note 4 to 3 and 4 W. & M., c. 14.

⁵ Code 1911, Art. 93, sec. 113.

⁶ Code 1911, Art. 93, sec. 114; *Bantz v. Bantz*, 52 Md. 686; *Levering v. Levering*, 64 Md. 399; *Shafer v. Shafer*, 85 Md. 559; *Stump v. Stump*, 91 Md. 699; *Strasbaugh v. Dallam*, 93 Md. 715; *Houck v. Houck*, 112 Md. 122; *Badders v. O'Brien*, 114 Md. 454.

⁷ Code 1911, Art. 93, sec. 8.